

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6234 OF 2005

Shanta Kundalik Saste & Ors. ... Petitioners

V/s.

Shri Nana Laxman Bhais ... Respondent

Ms.P.Modani for Petitioners
Mr.B.K. Raje for Respondent

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **SEPTEMBER 20, 2005**

P.C.:

. This Petition has been filed against the concurrent findings of fact of the Courts below. The trial Court decreed the suit on the ground of default in payment of arrears of rent. No standard rent application was filed by the petitioner-tenant. The trial Court has also decreed the suit on the ground of bonafide and reasonable requirement of the suit premises. The comparative hardship has also been considered by the trial Court by concluding that the plaintiffs' family who is in possession of 190 sq.ft. comprises nine members. The trial Court has also considered the fact that the comparative hardship would be greater qua the Respondent if the suit was not decreed in favour of the plaintiffs.

2. In my view, the appellate Court has rightly confirmed the findings of the trial Court. There is, therefore, no need to interfere with the findings of the Courts below. Petition rejected.